

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**KEVIN ODRICK,**

*Plaintiff,*

**v.**

**SCULLY COMPANY,**

*Defendant.*

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**CIVIL ACTION**

**No. 17-02566**

**ORDER**

**AND NOW**, this 16th day of November, 2018, upon consideration of the Complaint (Doc. No. 3), Amended Complaint (Doc. No. 5), Defendant's Motion to Dismiss (Doc. No. 23), and Plaintiff's Response (Doc. No. 24), it is **ORDERED** that Defendant's Motion to Dismiss (Doc. No. 23) is **GRANTED** and the case is **DISMISSED WITHOUT PREJUDICE**. Plaintiff may file an amended complaint on or before 30 days from the date of this order.

BY THE COURT:

S/Gene E.K. Pratter  
GENE E.K. PRATTER  
UNITED STATES DISTRICT JUDGE